

**United States Department of the Interior
Bureau of Land Management**

**Determination of NEPA Adequacy
DOI-BLM-UT-Y010-2016-045R DNA**

093

**February 2016
Special Recreation Permit for
Telluride Adaptive Sports Program**

Location: Designated mountain bike trails- Magnificent Seven, Great Escape, Gemini Bridges, Navajo Rocks, Poison Spider, Gold bar, Gold Spike, Portal trail, Moab Rim, Amasa Back, Pipe Dream, all trails in the Klondike Bluffs and Bar M Mountain Bike Focus Areas, Slickrock, Porcupine Rim, Lower Porcupine Rim (LPS) and Bartlett and Jedi Slickrock.

Applicant/Address: Tim McGough, PO Box 2254, Telluride, CO, 81435

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Worksheet

Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Moab Field Office

PROJECT NUMBER: MFO-Y010-16-045R

PROPOSED ACTION TITLE: Special Recreation Permit for Telluride Adaptive Sports Program

LOCATION/LEGAL DESCRIPTION: Designated mountain bike trails- Magnificent Seven, Great Escape, Gemini Bridges, Poison Spider, Gold bar, Gold Spike, Portal trail, Moab Rim, Amasa Back, Pipe Dream, all trails in the Klondike Bluffs and Bar M Mountain Bike Focus Areas, Slickrock, Porcupine Rim, Lower Porcupine Rim (LPS) and Bartlett and Jedi Slickrock.

APPLICANT:

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Tim McGough, on behalf of Telluride Adaptive Sports Program, has requested a renewed authorization through an organized group Special Recreation Permit (SRP) to conduct biking and hand cycle tours on designated mountain bike trails in the Moab Field Office of the BLM (see list of trails above). Hiking tours would also be offered on the same routes as the bikes. All use would be day use only and camping would occur in a private campground. The maximum group size would be 20 people and the minimum group size would be 3 people. A typical ratio of staff to clients would be 1:1 or 1:2. The use of electric assist bicycles and hand-cycles is not authorized on non-motorized trails. The permit would be issued for 10 years. Disabled Sports USA, Inc., Telluride Adaptive Sports Program held an SRP with the Moab Field Office from 2010 to 2015. Standard stipulations as well as mountain bike specific stipulations would apply to the SRP for Disabled Sports USA, Inc. Telluride Adaptive Sports Program.

B. Land Use Plan (LUP) Conformance

LUP Name* Moab Resource Management Plan

Date Approved October, 2008

*List applicable LUPs (for example, resource management plans; activity, project, management or program plans; or applicable amendments thereto).

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

Page 97 of the Moab RMP reads as follows: "Special Recreation Permits are issued as a discretionary action as a means to: help meet management objectives, provide opportunities for

economic activity, facilitate recreational use of public lands, control visitor use, protect recreational and natural resources, and provide for the health and safety of visitors.” In addition, on page 98 of the Moab RMP, it states, “All SRPs will contain standard stipulations appropriate for the type of activity and may include stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns....Issue and manage recreation permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources.”

The Moab Resource Management Plan (RMP), Final Environmental Impact Statement, signed October 31, 2008, identified lands with wilderness characteristics. The proposed use includes areas within lands with wilderness characteristics some of which are being managed as Natural Areas. Other lands within the proposal, although identified as possessing wilderness characteristics are not being managed as such. The proposed activity would not result in any changes in the impacts that were analyzed in the FEIS for the RMP.

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action. Environmental Assessment DOI-BLM-UT-Y010-2014-0076, Special Recreation Permit for Idaho State University, signed on March 6, 2014.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

☒ Yes
☐ No

Documentation of answer and explanation:

Yes; the existing NEPA documents address the impacts of permitted organized and commercial group mountain bike rides within the Moab Field Office.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

☒ Yes
☐ No

Documentation of answer and explanation: Yes; the Environmental Assessments listed above contain analysis of the proposed action and a no action alternative. The environmental concerns,

interests, resource values, and circumstances have not changed to a degree that warrants broader consideration.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

☒ Yes

☐ No

Documentation of answer and explanation: Yes; the existing analysis and conclusions are adequate as there has been no new information or circumstances presented. It can be reasonably concluded that all new information and circumstances are insignificant with regard to analysis of the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

☒ Yes

☐ No

Documentation of answer and explanation: Yes; the direct and indirect impacts are substantially unchanged from those identified in the existing NEPA documents. Yes; site-specific impacts analyzed in the existing document are the same as those associated with the current proposed action.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

☒ Yes

☐ No

Yes; the public was notified of the preparation of Environmental Assessment DOI-BLM-UT-Y010-2014-0076, Special Recreation Permit for Idaho State University, analyzed the use of designated mountain bike trails. It was posted on the ENBB on January 2, 2014 and signed on March 6, 2014. This level of involvement and notification is adequate for the current proposed action.

E. Persons/Agencies/BLM Staff Consulted:

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Ann Marie Aubry	Hydrologist	Air quality; Water quality; Floodplains, Soils,
Mark Grover	Ecologist	Wetlands/Riparian

ReBecca Hunt-Foster	Paleontologist	Paleontology
Katie Stevens	Recreation Planner	Areas of Critical Environmental Concern; Wild & Scenic Rivers, Recreation, Visual Resources
David Pals	Geologist	Wastes (hazardous or solid), Geology, Paleontology
Jordan Davis	Rangeland management Specialist	Weeds, Woodlands
Dave Williams	Rangeland management Specialist	T&E Plants,
Jared Lundell	Archaeologist	Cultural Resources; Native American Religious Concerns
Kim Allison	Rangeland management Specialist	Vegetation, , RHS, Grazing,
Pam Riddle	Wildlife Biologist	Threatened, Endangered, or Candidate Animal Species, Wildlife, Migratory Birds, Utah Sensitive Species
Bill Stevens	Recreation Planner	Wilderness, Natural Areas, Lands with Wilderness Characteristics, Socioeconomics, Environmental Justice,

CONCLUSION

Plan Conformance:

- ☒ This proposal conforms to the applicable land use plan.
- ☐ This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- ☒ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

Signature of Project Lead

Date

Signature of NEPA Coordinator

Date

Signature of the Responsible Official

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS:
ID Team Checklist

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Special Recreation Permit Renewal for Telluride Adaptive Sports Program

NEPA Log Number: DOI-BLM-UT-Y010-2016-093 DNA

File/Serial Number: MFO-Y010-16-045R

Project Leader: Katie Stevens

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

The following elements are not present in the Moab Field Office and have been removed from the checklist:

Farmlands (Prime or Unique), Wild Horses and Burros.

Determi-nation	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality Greenhouse Gas Emissions		Ann Marie Aubry <i>[Signature]</i>	2/10/16
NC	Floodplains		Ann Marie Aubry <i>[Signature]</i>	2/10/16
NC	Soils		Ann Marie Aubry <i>[Signature]</i>	2/10/16
NC	Water Resources/Quality (drinking/surface/ground)		Ann Marie Aubry <i>[Signature]</i>	2/10/16
NC	Wetlands/Riparian Zones		Mark Grover <i>[Signature]</i>	2/10/16
NC	Areas of Critical Environmental Concern		Katie Stevens <i>[Signature]</i>	2/10/16
NC	Recreation		Katie Stevens <i>[Signature]</i>	2/10/16
NC	Wild and Scenic Rivers		Katie Stevens <i>[Signature]</i>	2/10/16
NC	Visual Resources		Katie Stevens <i>[Signature]</i>	2/10/16
NC	Wild Lands (BLM Natural Areas)		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Socio-Economics		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Wilderness/WSA	<i>IMP</i>	Bill Stevens <i>[Signature]</i>	2/5/16
NC	Lands with Wilderness Characteristics		Bill Stevens <i>[Signature]</i>	2/5/16
NC	Cultural Resources		Jared Lundell <i>[Signature]</i>	2-10-16
NC	Native American Religious Concerns		Jared Lundell <i>[Signature]</i>	2-10-16
NC	Environmental Justice		Bill Stevens <i>[Signature]</i>	2/5/16

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Wastes (hazardous or solid)		David Pals <i>DP</i>	2/10/16
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle <i>PR</i>	2/10/16
NC	Migratory Birds		Pam Riddle <i>PR</i>	2/10/16
NC	Utah BLM Sensitive Species		Pam Riddle <i>PR</i>	2/10/16
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle <i>PR</i>	2/10/16
NC	Invasive Species/Noxious Weeds		<i>JD</i> Dave Williams	2/10/16
NC	Threatened, Endangered or Candidate Plant Species		<i>JD</i> Dave Williams	2/10/16
NC	Livestock Grazing		<i>JD</i> Dave Williams/ Jordan Davis/ Kim Allison	2/10/16
NC	Rangeland Health Standards		<i>JD</i> Dave Williams/ Jordan Davis/ Kim Allison	2/10/16
NC	Vegetation Excluding USFW Designated Species		<i>Jordan Davis</i>	2/10/16
NC	Woodland / Forestry		<i>Jordan Davis</i>	2/10/16
NC	Fuels/Fire Management		Josh Relph <i>JR</i>	2/10/16
NC	Geology / Mineral Resources/Energy Production		David Pals <i>DP</i>	2/10/16
NC	Lands/Access		Jan Denney <i>JD</i>	2.10.16
NC	Paleontology		<i>RH/F</i> ReBecca Hunt-Foster	2/10/16

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	Katie Stevens <i>KS</i>	2/10/16	
Authorized Officer	J.L. Jones <i>JL</i>	2/26/16	

**WILDERNESS INTERIM MANAGEMENT
IMPAIRMENT/NON-IMPAIRMENT EVALUATION FORM**

With the passing of the deadline for completion of reclamation activities in September of 1990, only temporary, non-surface-disturbing actions that require no reclamation; grandfathered uses, and actions involving the exercise of valid existing rights can be approved within WSA's. The reference document for evaluators and managers is Manual 6330, Management of Wilderness Study Areas (July, 2012).

DESCRIPTION OF ACTION

Name of action: DNA # DOI-BLM-UT-Y010-2016-093

Proposed Action: ☒ Alternative Action: _____ (check one)

Proposed by: Telluride Adaptive Sports

Description of action: Telluride Adaptive Sports seeks a renewal of its Special Recreation Permit (SRP) to offer biking tours, camps and instruction to commercial clients on designated mountain bike trails in the Moab Field Office of the BLM. Maximum group size would be 25 clients. One of the proposed trails, Porcupine Rim, is within a Wilderness Study Area (WSA). Standard stipulations as well as mountain bike specific stipulations would apply to the SRP for Telluride Adaptive Sports. *The only portion of the permit to be analyzed in this document is that trip segment which lies within the Negro Bill Canyon Wilderness Study Area (WSA).*

Locations: Porcupine Rim mountain bike trail from its entry in to the WSA in section 21, T25S, R22E, to its terminus at SR 128.

What BLM WSAs are included in the area where the action is to take place?

Negro Bill Canyon

VALID RIGHTS OR GRANDFATHERED USES (if any)

Is lease, mining claim, or grandfathered use pre-FLPMA? _____ Yes ☒ No

If yes, give name or number of lease(s), mining claim(s) or grandfathered use and describe use or right asserted:

Has a valid existing right been established? _____ Yes ☒ No

EVALUATION OF POTENTIAL FOR IMPAIRMENT OF WILDERNESS VALUES

Is the action temporary and non-surface disturbing? ☒ Yes _____ No

If yes, describe why action would be temporary and non-surface disturbing and identify the planned period of use:

Activity would consist of one-day guided mountain biking tours, using hand bikes adaptable to disabled use. Commercial activities are permitted uses in wilderness, including WSA's. Mountain biking has been a long-established grandfathered activity on the Porcupine Rim Trail, a portion of which is on a pre-inventory intrusion route in the WSA, with the remainder following a constructed stock trail. Current use, most of which is one-way, averages approximately 28,000 users per year. The Wilderness Act states: "*Commercial activities may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the*

recreational or other wilderness purposes of the areas." The BLM's "Interim Management Policy and Guidelines for Lands Under Wilderness Review" states that most recreational activities are allowed within WSA's.

Failure to adhere to the permit's stipulations could result in non-renewal by the BLM's Administrative Officer.

When the use, activity, or facility is terminated, would the area's wilderness values be degraded so far as to significantly constrain the Congress's prerogative regarding the area's suitability for preservation as wilderness?

Naturalness: Effects to the natural environment would center on trails and natural travel routes where mountain bikers would travel. For the proposed action, however, all travel would be on an existing well-defined and maintained trail. Impacts could involve soils and vegetation. The mountain biking activities would be on a trail which receives heavy recreational use, especially mountain biking, averaging about 28,000 users per year.

Naturalness as an ingredient in wilderness is defined as lacking evidence of man's impacts on a relatively permanent basis. None of the potential effects described above would affect significantly this aspect of naturalness essential to wilderness character.

Outstanding Opportunities for Solitude: This activity would not decrease opportunities for solitude relative to their current status. The Porcupine Rim Trail receives heavy annual mountain bike use (estimated at 28,000 users in 2005). Although commercial tours are currently allowed on the trail, such use has been light relative to private use. Only the last 2.5 miles of the trail are in the WSA, with almost all traffic being one-way. There is no reason to believe that the small increase in numbers which *could* result from the proposed action would significantly reduce any such opportunities for solitude. Furthermore, the trail segment in question lies within the front-country part of the WSA which was noted as *not* possessing outstanding opportunities for solitude in the 1991 Utah Statewide Wilderness Study Report.

Outstanding Opportunities for Primitive and Unconfined Recreation: There is no reason to believe that the proposed action will reduce these opportunities. There are no plans for trail construction or other modifications of the area.

Optional Supplemental values: No perceived negative impacts. The original inventory identified no specific supplemental values, although the 1990 Final Environmental Impact Statement identifies several threatened and endangered animal and plant species that *may* occur in the WSA. The current status is the presence of several plant species on the Utah state sensitive list. These species are all alpine plants, and do not occur along the established trail. The proposed action would be on this route, and would not impact these species.

Considered cumulatively with past actions, would authorization of the action impair the area's wilderness values? Yes X No

Rationale: Commercial activities are permitted not only in WSA's, but in officially-designated wilderness.

RESULTS OF EVALUATION

Non-impairment Standard

The only actions permissible in study areas are temporary uses that do not create surface disturbance, require no reclamation, and do not involve permanent placement of structures. Such temporary or no-trace activities may

continue until Congress acts, so long as they can be terminated easily and immediately.

The only exceptions to the non-impairment standard are:

- 1) emergencies such as suppression activities associated with wildfire or search and rescue operations,
- 2) reclamation activities designed to minimize impacts to wilderness values created by IMP violations and emergencies;
- 3) uses and facilities which are considered grandfathered or valid existing rights as defined in Manual 6330,
- 4) uses and facilities that clearly protect or enhance the land's wilderness values or that are the minimum necessary for public health and safety in the use and enjoyment of the wilderness values, and
- 5) reclamation of pre-FLPMA impacts.

MAJOR CONCLUSION OF NON-IMPAIRMENT EVALUATION

Action clearly fails to meet the non-impairment standard or any exceptions, e.g. VER, and should not be allowed: ☐ Yes ☒ No

Action appears to meet the non-impairment standard: ☒ Yes ☐ No

Action may be allowable, pre-FLPMA grandfathered use: ☐ Yes ☐ No ☒ N/A

Action may be allowable, pre-FLPMA VER: ☐ Yes ☐ No ☒ N/A

OTHER CONCLUSIONS

Restrictions proposed may unreasonably interfere with pre-FLPMA rights or grandfathered uses: ☐ Yes ☐ No ☒ N/A

Reasonable measures to protect wilderness values and to prevent unnecessary or undue degradation of the lands are incorporated: ☒ Yes ☐ No ☐ N/A

Environmental Assessment required: ☒ Yes ☐ No

Plan of Operations Required: ☐ Yes ☐ No ☒ N/A

Discovery verification procedures recommended: ☐ Yes ☐ No ☒ N/A

Consider initiating reclamation through EA: ☐ Yes ☐ No ☒ N/A

RELATED ACTIONS

Dated copy of Electronic Notification Board notice attached to case file: ☒ Yes ☐ No

Media notification appropriate: (optional) ☐ Yes ☒ No

Federal Register Notice appropriate: (optional) ☐ Yes ☒ No

Information copy of case file sent to USO-933: ☐ Yes ☒ No

Evaluation prepared by: William P. Stevens February 5, 2016

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD
Telluride Adaptive Sports Program
(Permitted hiking and mountain bike rides)**

DOI-BLM-UT-Y010-2016-0093 DNA

FONSI: Based on the analysis of potential environmental impacts contained in the present document, I have determined that the action will not have a significant effect on the human environment and an environmental impact statement is therefore not required.

DECISION: It is my decision to reissue the Special Recreation Permit for Telluride Adaptive Sports Program to operate in the areas listed under the Proposed Action. This decision is contingent upon meeting all stipulations and monitoring requirements attached.

RATIONALE: The decision to reauthorize a Special Recreation Permit for Telluride Adaptive Sports Program has been made in consideration of the environmental impacts of the proposed action. The action is in conformance with the Moab Resource Management Plan, which allows for recreation use permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources.

Acting Jennifer Jones
Authorized Officer

2/26/16
Date